



Entered on Docket  
July 30, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

WILDE & ASSOCIATES

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4, Mortgage Pass-Through Certificates, Series 2005-4  
09-72058

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In Re:

Juan Gonzalez and Adrienne Gonzalez

BK-S-09-14668-bam

MS Motion No. 74  
Date: July 9, 2010  
Time: 1:30 p.m.

Chapter 13

Debtors.

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the  
 2 post-petition arrearages currently due as follows:

3 5 Monthly Payments at \$1,638.23	\$8,191.15
4 (March 1, 2010 - July 1, 2010)	
5 4 Late Charges at \$72.69	\$290.76
6 (March 1, 2010 - June 1, 2010)	
7 Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$750.00
Suspense Amount	(\$2,523.56)
Total	\$6,858.35

8 The total arrearage shall be paid in six monthly installments. Payments one  
 9 through five (1-5) in the amount of \$1,143.06 shall be in addition to the regular monthly payment  
 10 and shall be due on or before the 20th day of the month commencing with the August 20, 2010  
 11 payment and continuing throughout and concluding on or before December 20, 2010. The sixth  
 12 final payment in the amount of \$1,143.05 shall be paid on or before January 20, 2011.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor  
 14 shall give Debtors at least five business days' notice of the time, place and date of sale.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume  
 16 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
 17 beginning with the August 1, 2010 payment, on Secured Creditor's Trust obligation, encumbering  
 18 the subject Property, generally described as 3354 Mountain Bluebird St. , Las Vegas, NV 89117,  
 19 and legally described as follows:

20 Lot Two Hundred Thirty-Four (234) in Block "E" of LEWIS HOMES - PINERIDGE  
 21 CROSSING NO. 43, as shown by Map thereof on file in Book 65 of Plats, page 84, in the  
 office of the County Recorder of Clark County, Nevada.

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make  
 23 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured  
 24 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file  
 25 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of  
 26 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an  
 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth  
 (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this  
 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may

1 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable  
2 State Law, and take any action necessary to obtain complete possession thereof.

3 Submitted by:

4 ~~WILDE & ASSOCIATES~~

5 By ~~Gregory L. Wilde~~

6 **GREGORY L. WILDE, ESQ.**  
7 Attorneys for Secured Creditor  
8 212 South Jones Boulevard  
9 Las Vegas, Nevada 89107

10 APPROVED AS TO FORM & CONTENT:

11 Kathleen A. Leavitt

12 By

13 Kathleen A. Leavitt  
14 Chapter 13 Trustee  
15 201 Las Vegas Blvd. So., #200  
Las Vegas, NV 89101

16 Randolph Goldberg

17 By

18 Randolph Goldberg  
19 Attorney for Debtors  
20 4000 S. Eastern Ave., #200  
21 Las Vegas, NV 89119

22 Nevada Bar No. 10972

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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2  The court waived the requirements of LR 9021.

3  No parties appeared or filed written objections, and there is no trustee appointed in the case.

4  No parties appeared or filed written objections, and the trustee is the movant.

5  This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7  approved the form of this order  disapproved the form of this order

8  waived the right to review the order and/or  failed to respond to the document

9  appeared at the hearing, waived the right to review the order

10  matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12  approved the form of this order  disapproved the form of this order

13  waived the right to review the order and/or  failed to respond to the document

14  This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
respond, as indicated below.

15 Debtor's counsel:

16  approved the form of this order  disapproved the form of this order

17  waived the right to review the order and/or  failed to respond to the document

18  appeared at the hearing, waived the right to review the order

19  matter unopposed, did not appear at the hearing, waived the right to review the order

20 Trustee:

21  approved the form of this order  disapproved the form of this order

22  waived the right to review the order and/or  failed to respond to the document

23  I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor